

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.: 10/782,570 Confirmation No.: 5780
Applicant(s): Carozzi et al.
Filed: February 19, 2004
Art Unit: 1638
Examiner: Anne R. Kubelik
Title: AXMI-007, A DELTA-ENDOTOXIN GENE AND METHODS FOR ITS USE

Docket No.: 045600/274144
Customer No.: 00826

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INTERVIEW SUMMARY

Date: December 16, 2008; 2:00 p.m. (e.s.t.)

Type of Interview: In-person at USPTO

Exhibits Displayed: None

Parties Present: W. Murray Spruill for Applicant;
Destiny M. Davenport for Applicant;
Nicholas Duck for Assignee
Brian Vande Berg for Assignee
Examiner Anne Kubelik

Claims Discussed: Independent claim 1

Substance of Interview: Applicant discussed the rejection of the claims under 35 U.S.C. § 112, first paragraph. Examiner suggested that claims drawn to nucleic acids encoding proteins with 95% or higher identity may overcome the rejections. The response to the Request for Information was also discussed. Examiner discussed search strategy in view of the information that was provided in response to the Request. Applicant and Examiner discussed strategies for overcoming potential obviousness rejections if any are raised after the search. Examiner

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provided further general comments and recommendations for similar applications filed in the future.

Agreement Reached: N/A.

Respectfully submitted,

/destiny m. davenport/

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